

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER ROWLAND,	:	
	:	07 Civ. 3553 (VM)
Plaintiff,	:	
	:	<u>CONDITIONAL</u>
- against -	:	<u>ORDER OF DISCONTINUANCE</u>
	:	
THE CITY OF NEW YORK,	:	
	:	
Defendant.	:	
-----	X	

VICTOR MARRERO, United States District Judge.

Counsel for defendants, on behalf of the parties, having notified the Court, by letter dated January 2, 2008, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within sixty (60) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within thirty days of the

plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

The conference scheduled for January 4, 2008 is canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
4 January 2008



VICTOR MARRERO
U.S.D.J.

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ELECTRONICALLY FILED
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MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

DOUGLAS W. HEIM
Assistant Corporation Counsel
phone: (212) 788-1298
fax: (212) 788-9776
dheim@law.nyc.gov

January 2, 2008

BY FAX: (212) 805-6382

Honorable Victor Marrero
United States District Judge
United States Courthouse
500 Pearl St., Suite 660
New York, New York, 10007

Re: Christopher Rowland v. City of New York, et al., 07 Civ. 3553 (VM)

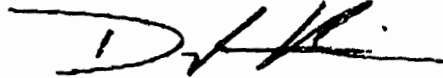
Your Honor:

As the Assistant Corporation Counsel assigned to represent defendants in the above-referenced matter, I write to respectfully inform the Court that the parties have reached an agreement to settle this matter for Sixteen Thousand Five Hundred Dollars (\$16,500.00), inclusive of costs and fees. Accordingly, defendants also respectfully request an adjournment without date of the Status Conference presently scheduled for January 4, 2007 at 10:15 a.m. Plaintiff's counsel consents to this request.

Defendants will promptly forward plaintiff's counsel a Stipulation and Order of Settlement and Dismissal for execution, along with other paperwork necessary to process a settlement check.

Thank you for your consideration herein.

Respectfully submitted,



Douglas W. Heim (DH5238)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Christopher Galiardo, Esq. (by fax)
Myers & Galiardo, LLP
122 East 42nd Street, Suite 2710
New York, NY 10168
Fax: (212) 986-6250